

Minutes of the Regular Monthly Board Meeting of the Township of Spring Green

Proceedings of the Town of Spring Green Regular Board Meeting, held at 7:02 pm on Thursday, November 2, 2017 at the Town Hall located at E4411 Kennedy Road, Spring Green, and Wisconsin:

1. **Call to Order:** Kevin Lins, Town Chairperson called the meeting to order at 7:02 pm.
2. **Legal Posting:** Jenny Pappas, Clerk certified compliance with the open meeting law.
3. **Roll Call:** Members present were Chairperson Kevin Lins, Supervisor Dave Radel, Supervisor Carla Carmody and Clerk Jenny Pappas. Treasurer Karen Shelton was absent. Also present were: Bill Mertens, Marian Copus, Louis Weston, Kolby Hirth and Fred lausly.
4. **Adopt Agenda:** Radel moved and Carmody seconded to adopt the agenda as presented. Motion carried.
5. **Approve Minutes:** Carmody moved and Radel seconded to approve the minutes of the October 5, 2017 Regular Board Meeting and October 26, 2017 Special Board Meeting as presented. Motion carried.
6. **Treasurer's Report:** Pappas reported a correction to September Receipts; they should have been reported as \$38,695.63 versus \$38,650.58 leaving an ending balance of \$371,808.93. Pappas presented the October Treasurer's Report which had a beginning balance of \$371,808.93 with receipts of \$275,565.57 and disbursements of \$303,112.12 leaving a balance of \$344,262.38. Radel moved and Carmody seconded to file the Treasurer's Report as presented. Motion carried.
7. **Monthly Bills/Invoices:** Radel moved and Carmody seconded to approve the monthly bills/invoices for payment as presented. Motion carried.
8. **Chairperson & Supervisors Reports:**
Chairperson's report/Kevin Lins:

- October 6th Received an email from the Town's attorney stating "I see no issue with the culvert for the hose." She also stated in regards to permits required for utility installations "If you do not have such an ordinance, no permit is necessary. The only ordinances that I am aware you have are in the code of ordinances." This email response was made at my request after I informed Natalie of public comments made by John McKenna at our last meeting.
- October 11th I attended a recycling meeting with the Village.
- October 12th I attended a LRIP (Local Roads Improvement Program) meeting at the Sauk County Highway Department to listen to discussion on upcoming TRIP (Town Road Improvement Program) funds available. \$165,699.41 is available for 11 projects for just the Towns. The application is now done online and due by November 17th. We were introduced to the new Highway Commissioner Patrick Gavinski. Patrick asked Juneau County Highway Commissioner Dennis Weiss to attend this meeting to assist him in any questions we had that he wasn't able to answer.
- October 13th I stopped in and visited with the people doing the TRIAD free winter vehicle inspections for Seniors at the Town Hall Shop.
- October 17th We had a budget meeting here at the Town Hall.
- October 18th I substituted for Kolby at the JEZC meeting at the Village Office.
- October 19th I received a copy of a proposed easement from Lori Lubinsky for stormwater drainage on the Walter Joost property. This is on the agenda for later.
- October 20th Fred and I attended a CPZ (Conservation, Planning & Zoning) meeting in Baraboo to listen to updates and discuss any issues. The conservation updates included Chapter 26 – Manure Management, Farmland Preservation and the Baraboo River RCPP (Regional Conservation Partnership Program). It was noted that the Baraboo River is the second largest contributor of phosphorus to the Wisconsin River in the state with the Big Eau Pleine River being number one. There was discussion on the MREA (Midwest Renewable Energy Association) – Solar project. I would suggest anyone interested in installing a solar project to contact these people. It was noted about an annual energy fair held in Custer, WI each year during June. It was described as a cross between NASA and Woodstock. I would suggest anyone interested in installing a solar project to attend next year's 30th Annual Energy Fair being held June 15-17 at Custer, WI. The Planning & Zoning updates discussed the 2014 Chapter 7 (Sauk County Zoning Ordinance) rewrite, the permitting process, the CSM process, CUP/BOA process, Shoreland Ordinance Updates and proposed zoning ordinance changes. This was followed by a Q & A session in which Fred and I participated. I think residents need to appreciate Fred and me taking time off work to attend this meeting during the day. I worked from 4:00 a.m. until 11:00 p.m. that day.

When I finally got in I listened to a voice mail from John McKenna. Some quotes from Mr. McKenna's message were "the gunfire has started again", "my sound meter is recording 120+ decibels", "you need to take action or there is liability", and "I will start the process with my attorney". We have discussed this publicly before. I never called him back.

- October 23rd I took some truck parts for the snow plow trucks to HD Machine to have repaired.
- I talked with Doug Enke from Town and Country Sanitation about concerns in the garbage and recycling contract and also about elderly people or people with disabilities and how they would handle the 95 gallon toters. This is on the agenda for later.
- October 24th I picked up the truck parts that were repaired.
- October 25th I rescued Brad and Bill with a jump start after the small truck failed to start while they were chipping brush along Hazelnut Road. I diagnosed the truck battery in final stage of failure.
- Later, on the 25th, I went to another recycling meeting with the Village and the result of that meeting is on the agenda for later.
- October 26th We had another budget meeting here at the Town Hall.
- Received a voice message from Jeff Johnson, Professional Land Surveyor, who lives off of Maple Court. "I'd like to have a conversation with you *and* Fred lausly. You guys are probably getting the township sued again so I would like to have a little input on what's going on because I think you are NOT making the proper decision." I called Jeff back and stated the facts. He stated he was a friend of the Peterzak's and was asked if he could help move things along. He stated he had only heard one side of the story. He felt he no longer needed to have a conversation with Fred. I also called the Town's insurance agent and got email confirmation from Ariella Schreiber, Director of Claims, for Rural Mutual Insurance Company, that they will pay to defend us on any claim including anything to do with our driveway ordinance.
- October 28th Received the latest well tracking report from Jenny.
- October 30th Jenny and I met at the bank with David Jones about a loan for a new plow truck.
- November 1st I met with David Jones at the bank and signed the loan papers for the new plow truck.

Supervisor Report/Dave Radel:

- Received an e-mail from a resident complaining about lilac bushes hindering sight at the end of Olson Road. The e-mail also stated that there is a lot of junk piling up on private land near the end of Olson Road as well. This issue is on the agenda later.
- Received an e-mail from a resident inquiring about the possibility of the Town charging room tax. This resident feels that a room tax would be great to put in place to use for tourism enhancement.
- Have been working on the Town's two-year road plan. This plan is required as part of the application process to receive TRIP money from the state for local road improvements.

Supervisor Report/Carla Carmody:

- October 11th Attended Joint Sanitation & Recycling Committee Meeting.
- October 13th Was contacted about the lilacs and property maintenance complaints on Olson Road which is later on the agenda.
- October 17th & October 26th Attended Budget Meetings
- October 21st Attended Plan Commission site tour
- October 24th Attended Plan Commission Meeting
- October 30th Attended Cemetery Committee Meeting

9. **Comment from the Public:** Hirth: formal objection to Dave Radel's meeting with Peterzaks and Lin Gunderson at the Peterzak property and failure to report such at a Board Meeting.

10. **Reports:**

- a. **Patrolman:** Lins stated Haas worked on the following during the month of October: mowing, plow truck maintenance and brush cutting.
- b. **Building Inspector:** Pappas reported two (2) permits issued for October: 1) Terry Shifflet, S13075 STH 23, Remodel and 2) Paul Zillgitt, E4675 Horseshoe Rd, Agriculture Building.
- c. **Emergency Planning:** No meeting.
- d. **Plan Commission:** lausly reported the following for the month of October: On October 10 the Commission held its regular meeting and worked on drafting a letter to the Leone Road property owners. ATV/UTV routes were also discussed. October 17 met with Mark and Mel Levy to go through the Driveway Ordinance and answer questions. October 20 attended the CPZ meeting in Baraboo and

later in the day attended a meeting at Tower Hill regarding driveway encroachment. October 21 attended site visit at Leone Road. October 24 attended special meeting with Leone Road landowners. Went through the driveway ordinance and a waiver for some specifications could be attained. The property owners are going to work on the potential waivers.

- e. **Extraterritorial Zoning Committee:** Meeting held on October 18 – discussed standing issues with Extraterritorial Zoning and driveway permits. Discussed updates to the Village Zoning Permit Application. Discussed complaints received from a Highbanks Lane resident regarding junk on neighboring property.
- f. **Fire District:** No meeting.

11. Agenda Items for discussion and/or action by the Town Board:

- a. **Discussion/possible action regarding contract with Town & Country Sanitation:** Lins explained the difference between the five and seven year contract and stated the termination clause has been stricken. Lins stated he spoke with Doug Enke regarding potential concerns with seniors/disabled residents. The following was added to the contract: “The Town shall require residents to utilize the “toter” unless the Town has provided an exception. Exceptions shall be limited to those who are unable to manage a toter, such as an elderly person or a person with a disability. The Town shall provide the Contractor with a list for each residence where an exception applies. If an exception applies, the resident’s garbage shall be placed in 30 gallon bags and recyclables shall be placed in 30 gallon clear bags. For each residence for which the Town provides an exception, that residence shall pay an additional five dollar (\$5.00) monthly charge each for both garbage and recyclables.” Lins stated the Town Attorney approved all the language in the contract and the only item pending at this point is an updated Certificate of Liability Insurance. Radel moved and Carmody seconded to approve the five year contract with Town & Country Sanitation as presented contingent upon receipt of a Certificate of Liability Insurance. Motion carried.
- b. **Discussion/possible action regarding revisions to Kennedy Road Recycling Center/Burn Area Attachment A:** Lins stated the Joint Sanitation & Recycling Committee met on two occasions after two complaints were received which resulted in a Notice of Violation from the Department of Natural Resources. Lins stated the Committee agreed to update Attachment A of the agreement to disallow contractors from utilizing the site, unless they are doing work for the municipality. Carmody moved and Radel seconded to approve the revisions to the Kennedy Road Recycling Center/Burn Area Attachment A as presented. Motion carried.
- c. **Discussion/possible action regarding easement language in regards to the Joost settlement:** Lins explained the Stormwater Drainage Easement that both parties have agreed upon. The easement covers 109 acres and access to the easement can be obtained from the DNR property. Lins noted that no notice is required to enter the easement area for inspection purposes; however, a 24 hour notice must be given before any work is performed (except in the case of an emergency). Lins noted the Town also has the right to remove, and shall not be responsible for reimbursing Joost for damage to trees, crops or other vegetation, sediment or any other structure, property or material that substantially impedes or interferes with the flow of stormwater within the Easement Area. The Town at the Town’s expense has the right to make, construct, reconstruct, install, operate, use, maintain, repair, replace and/or remove improvements to the Easement Area to control or facilitate the flow, disposal or discharge of stormwater. Radel moved and Carmody seconded to accept the Stormwater Drainage Easement between W-W Joost, Jr. Trust-1 and the Town of Spring Green as presented. Motion carried.
- d. **Discussion/possible action regarding Municipal Treasurer’s Bond:** Pappas explained a change has been made to state law regarding the required amount of the municipal treasurer’s bond. Previously the minimum bond amount was \$250K or \$500K, but now the bond “shall be no less than the amount of state and county taxes apportioned to the town, village or city.” Pappas stated this amount would equate to approximately \$850K and the amount would change every year. Alternatively, a municipality can pass an ordinance exempting itself from the bond requirement. Pappas stated she spoke with the Sauk County Treasurer who informed her that per her records, the Town of Spring Green had the ordinance, but she did not have a copy of it and suggested the Town pass a new Ordinance. Lins explained the differences between a fidelity bond which deals with fraud and a surety bond which deals with unintended errors which the Town currently has in place. Radel moved and Carmody seconded to approve Ordinance 2017-1102 – Exemption from Treasurer’s Bond as presented. Motion carried.

- e. **Discussion/possible action regarding a recommendation of the Cemetery Committee regarding snow plowing at the Spring Green Cemetery:** Carmody stated the Cemetery Committee placed advertisements for bids and met on October 30. No bids were received for plowing at the Cemetery. The Committee recommended contacting Brent Winkers and asking him to continue plowing for the 2017-2018 season. Pappas contacted Winkers and he agreed to continue plowing. Carmody moved and Radel seconded to extend Brent Winkers contract for plowing at the Spring Green Cemetery for the 2017-2018 season. Motion carried.
 - f. **Discussion/possible action regarding a recommendation of the Cemetery Committee regarding mowing at the Spring Green Cemetery:** Carmody stated the Cemetery Committee placed advertisements for bids and no bids were received for mowing. The Committee recommends placing advertisements for bids again in February, 2018 and contacting potential contractors as well. Radel moved and Carmody seconded to table this item until February, 2018. Motion carried.
 - g. **Discussion/possible action regarding trimming of lilacs at the intersection of Olson and County Line Roads:** Carmody stated she received a text from a resident concerned with the lilacs at the intersection of Olson and County Line roads. The resident asked if the bushes could be trimmed. Lins stated he talked to Haas; Haas said he could trim them. Lins inquired as to the specific location as there are bushes on both sides of the intersection. Radel moved and Carmody seconded to contact the resident regarding the lilacs at the intersection of Olson and County Line Roads to verify the location of the sight hindrance and to have the bushes trimmed to the right-of-way. Motion carried.
 - h. **Discussion/possible action regarding property maintenance concerns in the area of Olson and County Line Roads:** Carmody stated the same resident requesting trimming of lilacs at Olson and County Line expressed concerns regarding old cars and junk at the same location. Lins stated the resident needs to contact the County as that issue is covered under County Ordinance. No action taken.
12. **Adjourn:** Radel moved and Carmody seconded to adjourn at 8:35 pm. Motion carried.